

*Seibel, f*

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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GEORGE L. RIOSECO, EVA RIOSECO	:	Case No. 09 Civ. 9396 (CS)
and NILDA CRUZ,	:	
	:	ECF Case
Plaintiffs,	:	Honorable Cathy Seibel
vs.	:	
	:	
GAMCO ASSET MANAGEMENT, INC.,	:	
	:	
Defendant.	:	
-----X		

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the parties, in light of the related FINRA arbitration between Plaintiff George L. Rioscco and entities and persons related to Defendant GAMCO Asset Management, Inc. ("GAMCO"), that the time of GAMCO to answer, move or otherwise respond with respect to the Complaint is extended to a time to be set in consultation with the Court at the pretrial conference currently scheduled for March 12, 2010, it being expected that the arbitration will have been completed by then.

Dated: January 6, 2010

LOWEY DANNENBERG COHEN  
& HART, P.C.

By: *Peter D. St. Phillip, Jr.*  
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Attorneys for Defendant  
GAMCO Asset Management, Inc.

SO ORDERED:

A handwritten signature in cursive script, reading "Cathy Seibel".

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Hon. Cathy Seibel, U.S.D.J

DATED: 1/8/10



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January 7, 2010

FILED VIA ECF

Hon. Cathy Seibel  
United States District Judge  
Federal Building and United States  
Courthouse  
300 Quarropas Street, Room 218  
White Plains, NY 10601-4150

Re: George L. Riosco, Eva Riosco and Nilda Cruz v. GAMCO  
Asset Management, Inc., Case No. 09 Civ. 9396

Dear Judge Seibel,

Transmitted herewith please find the Parties' Stipulation extending the time of defendant GAMCO Asset Management, Inc. to respond to the complaint in the above matter to a date to be established at the conference scheduled with Your Honor on March 12, 2010.

The reason for this extension is that there is a parallel FINRA arbitration involving many of the same issues. The arbitration is scheduled to be tried between February 16, 2010 and February 24, 2010. The Parties believe it will be efficient for all concerned to defer this matter until we see the outcome of the arbitration.

Thank you.

Respectfully Yours,

A handwritten signature in cursive script, appearing to read 'Charles J. Moxley, Jr.'.

Charles J. Moxley, Jr.

CJM:sm  
Enclosure

cc: Peter D. St. Phillip, Esq.  
Lowey Dannenberg Cohen  
& Hart, P.C.  
Attorneys for Plaintiffs George L. Riosco,  
Eva Riosco and Nilda Cruz

bcc: Christopher J. Michailoff, Esq.